

Abrams Disciplined for Role in Iran-Contra

Bush Pardon Did Not Inoculate Reagan Aide From Bar Censure, Court Rules

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By Martin Weil
Washington Post Staff Writer

The D.C. Court of Appeals decided last week to censure former Reagan administration official Elliott Abrams as a lawyer for his role in the Iran-contra affair, even though he received a presidential pardon.

The court rejected a decision by a panel of its own judges that President George Bush's pardon of Abrams protected him from the disciplinary power of the D.C. Bar.

The pardon may have set aside Abrams's convictions, the appeals court said, but "it could not and did not require the court to close its

eyes to the fact that Abrams did what he did."

But while the court upheld the bar's right to penalize Abrams despite the pardon, the sanction that the judges ordered was less severe than the one-year suspension from practice that the bar had recommended.

In 1991, Abrams, a former assistant secretary of state for inter-American affairs, pleaded guilty to two misdemeanor counts of unlawfully withholding information from Congress during its hearings into the Reagan administration's secret campaign to aid the Nicaraguan contra rebels with proceeds from the sale of weapons to Iran.

Later, the bar's Board of Professional Responsibility recommended the one-year suspension from practice for Abrams who holds a law license but has not practiced since 1980. He now heads a conservative think tank in Washington, the Ethics and Public Policy Center.

On July 10, 1995, a three-judge panel of the District's highest court wiped out the bar's sanction, asserting that Abrams's full and unconditional 1992 pardon shielded him from the bar.

The bar's disciplinary authorities asked for a rehearing by the full court. On Wednesday, the court decided

5 to 4 that the presidential pardon did not in fact protect Abrams from the bar. Three members of the majority favored a suspension of six months, and one favored a year. The court adopted the position of the fifth judge, who favored public censure.

"We're obviously pleased that the full court did not impose a suspension, but . . . we continue to believe that as a result of the pardon, Elliott is constitutionally entitled not to have any sanction imposed," said Charles J. Cooper, who represented him. Abrams could not be reached for comment.

Leonard H. Becker, who represented the bar, expressed gratification that "the court has resolved the constitutional question favorably to the view expressed by the Board on Professional Responsibility."

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Marik, a ruddy, affable 51-year-old who retired from the agency six months ago, says he has no regrets about the role he personally played.

"I still feel good about what I did in northern Iraq. We were supporting exactly the kind of people America should support. But we tied ourselves in knots," he said yesterday.

Marik tells a story of sharp factionalism and confusion within the CIA as case officers warred with each other to impress superiors and promote different sets of "clients" among the Iraqi dissidents they supported.

In particular, while Marik was working with Chalabi and the National Congress, others in the U.S. government opted to support former political associates of Saddam and his generals in the belief that they had a chance to quickly overthrow his regime.

Marik and some other senior CIA officials believe the bureaucratic warfare undermined a promising effort to cage Saddam. But Marik says he is publicizing his past activities to dramatize his view that the agency does not bear sole responsibility for a broad policy failure that implicates the White House, Congress, the Pentagon and the State Department as much as it does the CIA.

His matter-of-fact, precise descriptions of risky agency exploits in the remote Kurdish homeland of northern Iraq center on the help provided to the Iraqi opposition to assemble a force capable of taking on an Iraqi army division in March 1995.

Parts of the story of the failure of that offensive, and the rout of the competing CIA attempt to organize a palace coup against Saddam, have been previously published. Among the new points about the operation, which absorbed at least \$100 million in U.S. funds and cost the lives or freedom of hundreds if not thousands of Iraqis who worked with the agency, are these:

■ A top CIA covert operative—known to the Iraqis as Bob and not further identified in this account because he is still in covert service with the CIA—designed what the Iraqis called the "Bob plan" for a direct attack on the Iraqi army in March 1995. The goal was to demonstrate the rebels' strength and, hopefully,

highlight the unwillingness of Iraqi troops to fight to defend Saddam. Marik and Bob were the two principal CIA agents working in northern Iraq with the National Congress rebels.

■ According to Chalabi, the "Bob plan" included a secret contact with Iran—a neighbor and bitter foe of Iraq—seeking Iranian complicity in the Iraqi rebel attack. But Washington quickly disavowed that message and withdrew support for the operation.

■ As its first step in the campaign to bring down Saddam, the agency hired an American public relations and political lobbying firm, the Rendon Group of Washington, to develop a worldwide propaganda campaign. John Rendon, head of the firm, is a former campaign consultant for Jimmy Carter.

■ Congress—particularly the Senate intelligence committee, which sent two staff aides along with CIA agents on evaluation missions in the north—has played a major role in pressing for covert action and in shaping a program that many at the agency saw as doomed to fail from the outset.

■ The CIA official with direct departmental responsibility for the ill-fated operation, Steven Richter, is said by agency insiders to be the leading candidate for the powerful position of director of operations at the agency—head of the CIA's clandestine wing—if President Clinton's designated director, George J. Tenet, is confirmed by the Senate in mid-July as expected.

The accounts offered separately

by Marik and Chalabi were supported in many details, and in their overall thrust, by nearly 100 hours of interviews over several months with other CIA officers who asked not to be named, with Iraqi opposition figures and military defectors and with U.S. and foreign diplomats having direct involvement in or knowledge of American policy in the Persian Gulf.

Marik, a veteran of the CIA's successful insurgency campaign in Afghanistan and a Turkish-language

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specialist, describes the fundamental error he thinks the agency made this way:

"In northern Iraq we ran a political program that was to eventually reduce Saddam's control over Iraq and make him nothing more than the mayor of Baghdad. That kind of slow, salami-slicing operation worked in Afghanistan, and against the Soviet Union in the Cold War.

"But then came pressure from the top for the quick kill—for a coup on deadline—and we lost our way."

Marik declines to speculate on the motivation for that shift. Other CIA officers viewed the shift as a prudent hedging of bets that went awry. Others said the National Congress was seriously hampered from the start by feuding among its rival Kurdish factions and lack of support

r among Iraq's politically dominant
r Sunni Arab religious group and
f neighboring governments.

Two CIA sources noted that the pressure within the Clinton administration to get on with overthrowing Saddam accelerated when John M. Deutch moved from the Defense Department to become CIA director in May 1995, and intensified more as the 1996 presidential election campaign moved nearer.

Deutch, now teaching at the Massachusetts Institute of Technology, declined to comment for this article, as did the CIA's office of public affairs. A White House official denied that any pressure had been exerted on the CIA for political reasons.

The Iraq operation spans two presidencies and grows out of a miscalculation by President Bush and the U.S. generals who prosecuted the Persian Gulf War against Iraq in 1991. They assumed the humiliated Iraqi army would finish the job they started by overthrowing Saddam, according to senior Bush officials.

When that did not happen, Bush signed what agency personnel call "a lethal finding" and ordered the CIA to create the conditions that would lead to a change in regime in Iraq. The leaders of the agency's Iraq Operations Group doubted they could easily accomplish what an international army of 500,000 men had failed to do.

But they began drawing up a classic covert operation similar to those that had worked with varying degrees of success over the past half-century in Iran, Guatemala, Afghanistan, Nicaragua and elsewhere in the Third World.

"Lethal findings"—under which the agency can with two exceptions undertake whatever action needed, even if that action would lead to fatalities—are rare. Marik only worked in two situations covered by such a document: Afghanistan and Iraq.

Under U.S. law, CIA officers cannot directly participate in an assassination plot. And they cannot suggest in their propaganda that the United States will support a public uprising against an entrenched regime.

Some agents call this latter red

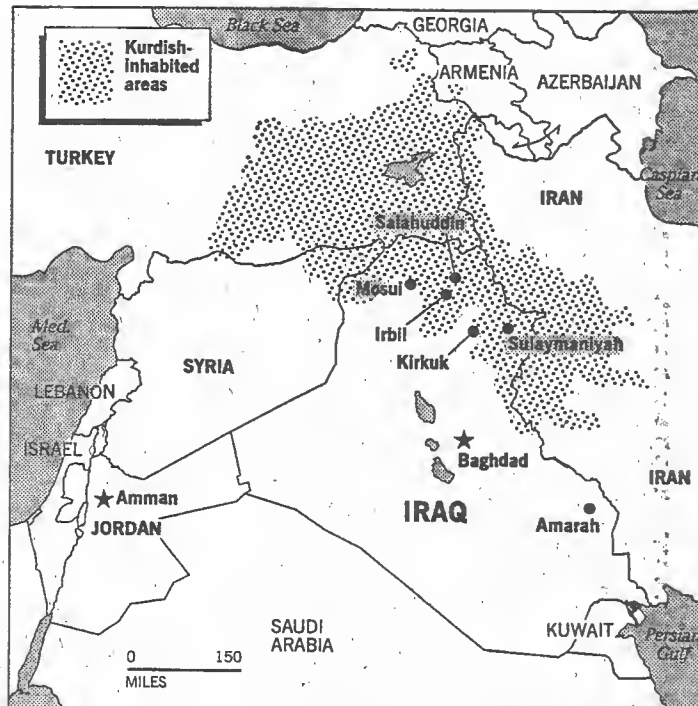
line—a standard one in covert action—"Budapest rules." The agency was accused of having incited the Hungarian population to rise against Soviet occupation in 1956 and then having done nothing to help fight the Russians.

The initial funding for the operation was set at \$40 million, according to two independent sources. But that could grow under Bush.

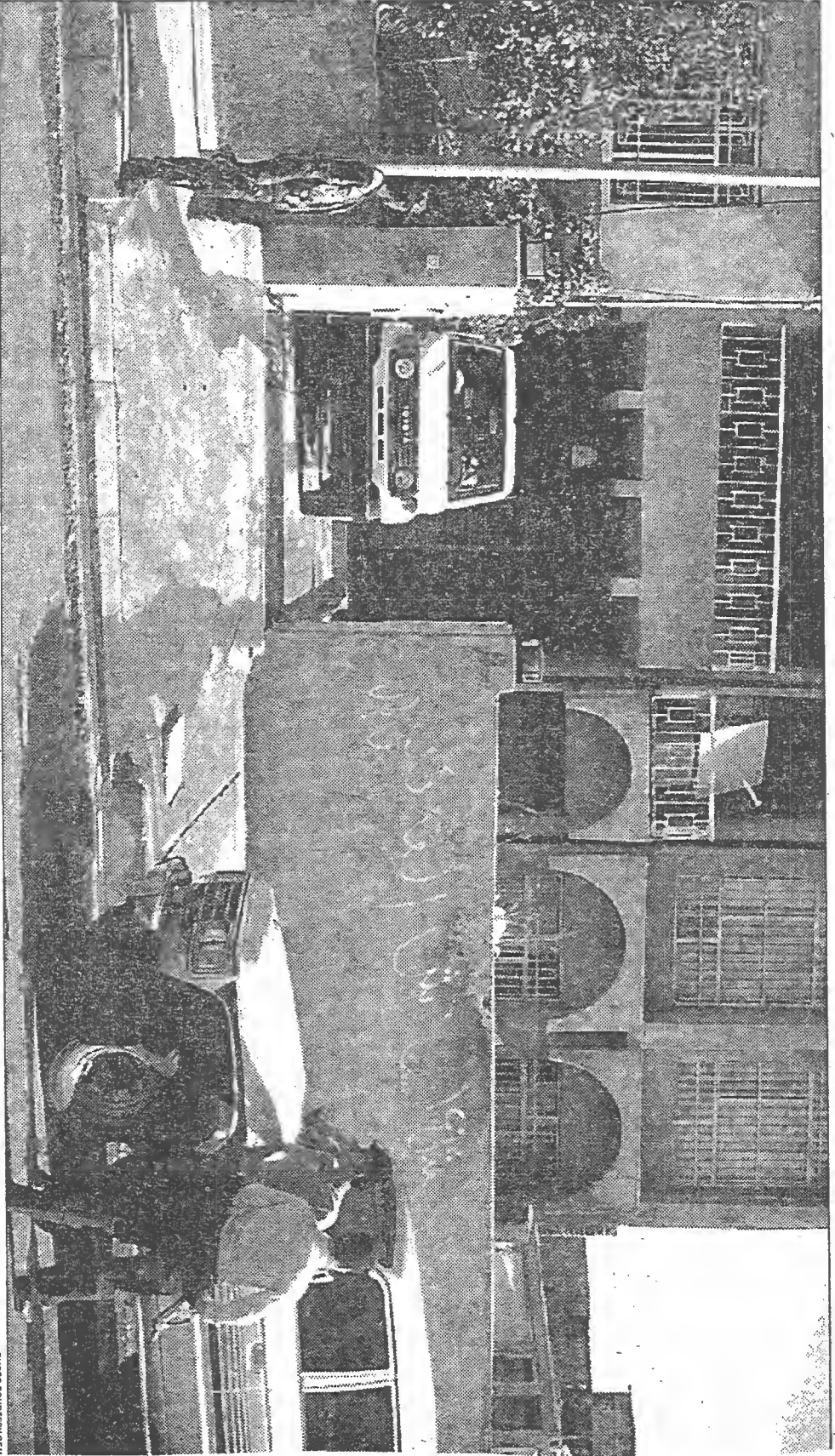
"The question we kept getting from the White House then was 'How much do you need?'" says a CIA source. "After Clinton and [national security adviser Anthony] Lake came in, it changed to 'How much can you get along on?'" At several key points, the Clinton White House refusal to come up with a few million dollars jeopardized or stymied the whole operation.

The agency's first reflex was to expand a global propaganda campaign the Kuwait government was already financing to denounce Iraqi atrocities in the 1990 invasion. The Rendon Group, a public relations firm, got the contract.

John W. Rendon, head of the firm,
See CIA, A29, Col. 1



THE WASHINGTON POST



The American residence located in Salahuddin, northern Iraq, a site of activities involving CIA agents and Kurdish guerillas aimed at overthrowing the regime of Iraqi President Saddam Hussein.

PHOTO COURTESY OF VA

is a political consultant close to the Democratic National Committee who worked as scheduler for President Jimmy Carter in the 1980 campaign. He was out of the country yesterday and his firm did not return a telephone call.

Rendon ran the operation from Washington with branch offices in Boston and London. Their main activity, veterans of the operation say, was to produce radio scripts calling on Iraqi army officers to defect for broadcast on two large radio transmitters the CIA established and managed in Jeddah, Saudi Arabia, and Kuwait. Agency-run radio stations also sprang up in Cairo and Amman. The Kuwait and Amman stations are still in operation.

By mid-1992, Chalabi and the National Congress were working with the Rendon group. Chalabi, a graduate of MIT and the University of Chicago, had been active in anti-Saddam efforts since the early 1970s but had not previously worked with the agency.

But in 1992 he and other leaders in the National Congress decided to accept covert support, which would eventually grow to \$326,000 a month. In Washington, Marik, who came aboard the agency's Iraq Operation Group in 1993, began shifting money from the Rendon operation to direct support of the National Congress.

U.S. officials began visiting the northern enclave the United States had ordered Saddam to stay out of in 1991. In September 1994, two Senate intelligence committee staff aides accompanied "Bob," deputy director of the Iraqi Operations Group at that point, into the north and shortly afterward the committee cleared the agency to establish a clandestine, semipermanent team in northern Iraq.

Over the next two years a total of about 50 agents rotated in and out, living in a fortified compound in the opposition-controlled town of Salahuddin. Teams composed of four to 10 agents each lived there for an average stay of six weeks. Their formal mission was to monitor the National Congress and gather intelligence.

In fact, they did much more. Marik, who led the first field team into Iraq in late October 1994, put it this way: "Nobody said we should provide military training and provide weapons to the [National Congress] force. But when we did that and

reported it back to Washington, nobody said stop it, either."

His time in Iraq was a transforming experience for Marik, a Chicago native who entered the agency after military service in Vietnam. He brushes aside questions about what he did in Afghanistan by answering only "the usual stuff." But on Iraq, he feels passionately that the agency had a winning hand that it threw away.

In late 1994, control of the Iraq Operation Group was taken away from the veterans who had worked out the long-term political program with Chalabi and who, in the words of one agent, "kept the crazy ideas about silver-bullet coups away from the agency leadership."

After that the agency embarked on a "special channel" compartmentalized operation to prepare a quick-strike coup against Saddam. It was to be organized by former army officers and political cronies of the Iraqi dictator. They claimed they were in touch with serving military officers who would oust Saddam and take power.

Marik and the officers working with the Chalabi group were told to stay away from the operation, run with a dissident group called the Iraqi National Accord, when it became apparent to them that a second covert operation targeted at Saddam was under way.

Upon his arrival in 1995, Deutch not only gave the coup effort the green light but also pressed his agency to set "milestones" for getting the job done. Some officials there had the impression they were facing a deadline of about a year, in time to remove Saddam as an issue in the 1996 election.

But Chalabi, Marik and others in the agency were telling the operations group that the National Accord was deeply penetrated by Saddam's agents from the beginning. In June 1996, Saddam rolled up the plot by arresting 100 of the Accord's contacts in the military and executing 30 other officers.

The strategy that Chalabi had originally proposed to the agency took that into account. Instead of banking on a coup, Chalabi proposed establishing a political and administrative structure in the northern enclave that would become an alternative to Saddam as the dictator's powers were worn down.

The idea was to hollow out the Iraqi army by making defection to the north safe. Chalabi sought to hold the two main Kurdish factions

together and use their guerrilla forces as the core of a regional military force. But they need training, weapons, a military plan and reason to hope the United States would help them in a crunch.

Gradually "the Bob plan," named after the blond, blue-eyed, 6-foot-tall agent who elaborated it, came into being, with a target date of March 4, 1995, for a coordinated strike on the garrisons of Mosul and Kirkuk by 20,000 Kurdish guerrillas, 1,000 National Congress soldiers and 1,000 armed followers of the Iraqi Commu-

nist Party, according to Gen. Wafiq Samarrai, Saddam's former chief of military intelligence. He defected to the National Congress in 1994 and directed the offensive.

"We wanted Saddam to go on full alert, to try to fight back and see that his units would not fight for him," Chalabi says.

According to Chalabi, on Feb. 27 Bob asked him to use his contacts with Iran's ruling ayatollahs to pass a message saying Washington would look with favor on Iran moving troops along its border to distract Saddam as the offensive began.

Bob could not meet the Iranians himself. But Chalabi says the CIA agent stood in the hallway of the Khadra Hotel in Salahuddin as two Iranian intelligence operatives filed

into Chalabi's room to be given what they were told was a message from the White House. "They had to see an American there or they wouldn't believe it," says Chalabi. "Their eyes were popping out of their heads."

U.S. officials would not comment on that description. But two administration officials confirm what Chalabi says happened next, apparently after communications intercepts of Iranian messages alerted the White House to the Bob plan.

On March 3, they said, Bob and another agent showed up with a three-point message for Chalabi. One: Your operation has been penetrated and there is a risk of failure. Two: If you go ahead, it will be without U.S. involvement or support. It is your decision. Three: There is

only one place for contact between Iran and the United States, and it is not in northern Iraq.

The effect of the message was to split the Kurds, who received a separate briefing on it. One Kurdish leader, Massoud Barzani, would not commit his forces to fighting the Iraqi army, and the offensive failed. In August 1996, he invited Saddam's troops into the north to help break up the CIA-backed operation.

"I know other people in the agency disagree with me and saw the [National] Accord operation as a prudent hedge," Marik says. "But I feel that we got too impatient with a genuine effort to install democracy and turned instead to fighting Saddam with incompetent Saddams, who are headed for the dust heap of history."



BY FRANK JOHNSTON—THE WASHINGTON POST

"We want to work with the State Department, the National Security Council, or AID," says Iraqi opposition figure Ahmed Chalabi. "But our involvement with any covert agencies is finished."